

## Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00  
DODE-00 DOTE-00 INR-10 NSAE-00 FAA-00 L-03 SS-15  
NSCE-00 SSO-00 INRE-00 /051 W  
-----127417 281804Z /64

O 281645Z AUG 78

FM AMEMBASSY ROME

TO SECSTATE WASH DC IMMEDIATE 5292

C O N F I D E N T I A L ROME 15812

E.O. 11652: GDS

TAGS: EAIR IT

SUBJECT: FOI THREAT TO PAN AM FLIGHTS BEYOND ROME

REF: (A) ROME 15734; (B) STATE 215973

1. ALTHOUGH EMBASSY HAD UNDERSTOOD MEETING WITH DGCA COLLINI WAS OFF FOLLOWING PIETROSANTO'S STATEMENT (REF A) THAT IT WOULD BE USELESS TO HOLD SUCH A MEETING, EMBOFF WAS ASKED TO ATTEND ONE ON AUG. 28 IN DGCA'S OFFICE ON TERMS SET OUT BY EMBOFF TO PIETROSANTO. AT OPENING OF MEETING AT WHICH THREE OTHER CIVILAVIA OFFICIALS AS WELL AS PIETROSANTO WERE PRESENT EMBOFF REPEATED TO DGCA COLLINI WHAT THESE TERMS WERE. COLLINI ACCEPTED THEM. NEXT HOUR WAS SPENT IN AGAIN GOING OVER EMBASSY'S NOTE NO. 517 (REF B).

2. WITHOUT GOING INTO BLOW BY BLOW DESCRIPTION OF ARGUMENTS, COLLINI TOOK LINE THAT WHAT MFA'S APRIL 4 NOTE HAD SPECIFIED ON FREEZE SHOULD HAVE BEEN OBVIOUS AS ON BASIS U.S. INTERPRETATION PAN AM WOULD BE ABLE CARRY MORE PASSENGERS BEYOND ROME THAT ALITALIA AND AS THEREFORE GOI WOULD NEVER HAVE OFFERED ANYTHING SO STUPID. HE ALSO CLAIMED THAT ITALY WOULD NOT BE ACTING UNILATERALLY IN STOPPING FLIGHTS AS CONSULTATIONS HAD BEEN HELD AND FREEZE IMPOSED IN ACCORDANCE WITH BILATERAL. EMBOFF SAID USG COULD ONLY BASE ITS POSITION ON WHAT WAS  
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OFFERED IN MFA NOTE OF APRIL 4 WHICH INDICATED THAT ONLY FIFTH FREEDOM TRAFFIC WAS SUBJECT TO FREEZE AND THAT FREEZE LEVEL WAS USABLE CAPACITY WITHIN 747'S (APPROVED BY MFA NOTE) OF 707'S. EMBOFF SAID USG SAW THIS AS REASONABLE COMPROMISE TO ITS ORIGINAL POSITION THAT FREEZE LEVEL SHOULD BE AT LEVEL FILED FOR IN 1977. EMBOFF SAID HE BELIEVED USG POSITION WAS THAT GOI WOULD BE ACTING UNILATERALLY IF

IT WERE TO FORCE A CAPACITY LIMITATION IN VIEW OF  
ARTICLE OF BILATERAL THAT STIPULATES UNILATERAL ACTION SHOULD  
NOT BE TAKEN TO LIMIT CAPAITY AND BECAUSE THERE WAS NO  
CLEAR UNDERSTANDING BY THE PARTIES ON THE FREEZE LEVEL.  
COLLINI AND OTHER CIVILAVIA OFFICIALS CLAIMED THAT HISTORY  
OF CONSULTATIONS WITH U.S. HAD MADE CLEAR THAT WHAT ITALY  
WANTED TO LIMIT WAS TOTAL CAPACITY OFFERED AND THAT "USABLE  
CAPACITY" MEANT TOTAL CAPACITY. EMBOFF SAID HE COULD ONLY  
RESPOND THAT IF GOI HAD MEANT TOTAL CAPACITY IT SHOULD HAVE  
SAID SO, THAT USABLE CAPACITY IN CONTEXT OF APPROVING USE  
OF LARGER AIRCRAFT THAN YEAR BEFORE COULD NOT MEAN ANYTHING  
BUT NUMBER OF SEATS THAT COULD BE SOLD.

3. AFTER GOING BACK AND FORTH ACROSS BY NOW WELL PLOUGHED  
GROUND DGCA FINALLY SUMMED UP CIVILAVIA POSITION BY SAYING  
HE INSISTED THAT PAN AM MUST BE SUBJECTED TO CONTROL THAT AS  
FAR AS HE WAS CONCERNED PAN AM FLIGHTS AS OF AUG 25, COULD FLY EAST  
OF ROME ONLY IF EMPTY AND THAT ALITALIA HAD INFORMED HIM THAT  
IT WAS WELL ABLE TO CARRY PAN AM PASSENGERS. HE SAID HE WOULD  
REFER MATTER TO MINISTER OF TRANSPORT SAME DAY (AUG 28.)J

4. EMBOFF REMINDED COLLINI THAT HE WAS NOT AUTHORIZED  
TO MAKE REPLY FOR USG. FOR NOW EMBOFF COULD ONLY SAY  
DISCUSSION HAD MADE CLEAR THAT FUNDAMENTAL ISSUES WERE  
INVOLVED SUCH AS DEFINITION OF FIFTH FREEDOM  
AND RIGHTS OF SIGNATURIES IN REGARD TO THIRD FREEDOM  
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TRAFFIC (IN U.S. CASE BETWEEN U.S. AND TURKEY/IRAN) AND  
THAT THESE ISSUES COULD BEST BE DEALT WITH AT OCTOBER  
MEETING WHICH COULD BE CONSULATION AS WELL ASNEGOTIATING  
SESSION.

5. DCGA SAID GOI HAS BEEN GENEROUS IN ALLOWING PAN AM TO  
CONTINUE OPERATIONS BEYOND ROME BUT COULD NOT CONTINUE IN  
SAME MANNER. OCTOBER SESSION WAS TOO LATE TO RESOLVE MATTER  
AT HAND. EMBOFF ASKED WHAT WAS SITUATION OF PAN AM'S  
FLIGHTS. WHILE COLLINI REPLIED BY REPEATING HIS STATEMENTS  
AS REPORTED PARA 3 ABOVE DR. CINA WHO WAS SEATED NEXT TO  
EMBOFF SAID THAT HE WOULD ADDRESS POINT CLEARLY BY SAYING  
PAN AM SHOULD BE LIMITING ITSELF (BUT HE DID NOT SAY TO WHAT  
LEVEL). ANOHTER CIVILAVIA OFFICIAL MENTIONED AUG. 31  
DATE WHICH CIVILAVIA HAD INDICATED EARLIER WOULD BE  
LIMIT FOR CIVILAVIA IN NOT IMPOSING CONTROL ON PAN AM.

6. IMMEDIATELY AFTER MEETING EMBOFF TOLD PIETROSANTO  
THAT WASHINGTON WOULD NOT VIEW MEETING AS SUBSTITUTE FOR  
REPLY TO EMBASSY NOTES AND AIDE MEMOIRE DELIVERED IN  
WASHINGTON. PIETROSANTO SAID HE ALREADY HAD SO INFORMED  
COLLINI WHO HAD AGREED TO PREPARE SUBSTANTIVE REPLY.

PIETROSANTO SAID BY SAME TOKEN EMBASSY HAD NOT YET FULLY  
RESPONDED TO MFA AIDE MEMOIRE OF AUG. 22. EMBOFF SAID  
HE FELT NOTE 517 RESPONDED TO MFA AIDE MEMOIRE.  
COMMENT. EMBASSY BELIEVES ON BASIS THIS CONVERSATION WITH  
COLLINI AND CINA'S AIDE REMARKS THAT ITALIAN CIVAIR  
AUTHORITIES NOT LIKELY TAKE STRONG ACTION AGAINST PAN AM  
AT LEAST UNTIL MINISTER OF TRANSPORT HAS RENDERED DECISION.  
WHEN AND WHAT THAT WILL BE DEPENDS ON NUMBER OF FACTORS,  
SUCH AS PRESSUE ALITALIA CAN BRING TO BEAR ON HIM WHETHER  
ALITALIA CAN PERSUADE HIM/THAT, IF PAN AM FLIGHTS STOPPED, THAT  
MESS AT ROME AIRPORT CAN BE AVOIDED AND WHAT POSITION MFA ULTIMATE-  
LY TAKES. WE BELIEVE STRONG ACTION ALSO NOT LIKELY BEFORE SEPT. 1.  
DUE TO EARLIER CIVILAVIA AND MFA STATEMENTS THAT DEADLINE  
EXTENDED UNTIL AUG 31. HOLMES  
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## Message Attributes

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**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Copy:** SINGLE  
**Draft Date:** 28 aug 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
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**Disposition Date:** 20 Mar 2014  
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**Expiration:**  
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